

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 19-20518
District Judge Victoria A. Roberts
Mag. Judge R. Steven Whalen

ANTONIO LAMONT ARRINGTON,

Defendant.

ORDER DENYING PLAINTIFF'S MOTION FOR RECONSIDERATION
[ECF No. 34] AND DISMISSING INDICTMENT [ECF No.15]

On February 19, 2020, the Court entered an order granting Defendant Antonio Arrington's motion to suppress evidence and post-arrest statements. [ECF No. 33]. The Government now moves for the Court to reconsider pursuant to Eastern District of Michigan Local Rule 7.1(h)(3). [ECF No. 34].

Local Rule 7.1(h)(3) provides the Court's standard of review for a motion for reconsideration:

Generally, and without restricting the court's discretion, the court will not grant motions for ... reconsideration that merely present the same issues ruled upon by the court, either expressly or by reasonable implication. The movant must not only demonstrate a palpable defect by which the court and the parties and other persons entitled to be heard on the motion

have been misled but also show that correcting the defect will result in a different disposition of the case.

E.D. Mich. LR 7.1(h)(3). Palpable defects are those which are “obvious, clear, unmistakable, manifest or plain.” *Mich. Dep’t of Treasury v. Michalec*, 181 F. Supp. 2d 731, 734 (E.D. Mich. 2002). “It is an exception to the norm for the Court to grant a motion for reconsideration.” *Maiberger v. City of Livonia*, 724 F. Supp. 2d 759, 780 (E.D. Mich. 2010). “[A]bsent a significant error that changes the outcome of a ruling on a motion, the Court will not provide a party with an opportunity to relitigate issues already decided.” *Id.*

The Government presents the same issues ruled upon by the Court and, as such, fails to demonstrate a palpable defect in the Court’s order. The Government’s motion for reconsideration is **DENIED**. The Indictment is **DISMISSED**.

IT IS ORDERED.

s/ Victoria A. Roberts
Victoria A. Roberts
United States District Judge

Dated: March 31, 2020